

**MINUTES
CITY COUNCIL MEETING
Monday April 23, 2012**

Call to Order President Simpson called the meeting to order at 7:40 p.m. and welcomed everyone to the meeting. Council members present were President Edward Simpson, Vice President Joseph Hamrick, Msrs., Jarrell Brazzle, David Collins, Jeff LoPrinzi, Mrs. C. Villa Hunt and Mrs. Ingrid Jones. Staff members present included City Manager Gary Rawlings, City Solicitor John Carnes, Police Lieutenant Rita Shesko, Director of Planning and Codes Enforcement Damalier Molina, Director of Public Works Donald Wilkinson, Acting Fire Chief James Lentz, and Recording Secretary Ruthann Mowday.

Vice President Hamrick announced an Executive Session was held earlier this evening, April 9, 2012 to discuss personnel and legal matters.

Approval of Minutes:

1. April 9, 2012
Mr. Brazzle made a motion to approve the minutes of the April 9, 2012 meeting; Mr. Collins seconded the motion. Motion passed 7-0.
2. April 12, 2012
Mr. Brazzle made a motion to approve the minutes of the April 12, 2012 meeting; Mr. Collins seconded the motion. Motion passed 6-0-1. Mrs. Jones abstained from the vote.

Approval of Accounts Payable

Mr. Collins inquired about the format of the payables. Mrs. Jones inquired about membership/subscription fees. Mr. Brazzle asked staff to look at various memberships to help cut costs. Mr. Collins asked that staff look into any areas that costs can be cut. Mr. LoPrinzi questioned the Police Department Gym reimbursement. Mr. Simpson asked Mr. Rawlings to talk to the Police regarding the amount for the reimbursement.

Vice President Hamrick made a motion to approve the Accounts Payable dated April 17, 2012; Mr. Collins seconded the motion. Motion passed 7-0.

Additions, Deletions or Modifications to the Agenda

Mr. Brazzle made a motion to add Presentation #1, Finance Department Update; Vice President Hamrick seconded the motion. Motion passed 7-0.

Vice President Hamrick made a motion to remove Special Event #2, Coatesville Farmers Market Association for a Weekly Farmers Market on Saturdays from May to October at Gateway Park from 9:00 am to 2:00 pm; Mr. Brazzle seconded the motion. Motion passed 7-0. Mr. Rawlings explained the application was approved in January.

Presentations:

1. Finance Department Update by John Marcarelli

Mr. Marcarelli provided Council with the statement of Cash Positions as of February 2012, for all City Funds, a Year to Date (YTD) Budget - Revenues, and a YTD – Expenses report for Period 2 through 2/29/12. The year to date budget report –m revenues indicates a total of \$667,520.84 was received in the general fund budget in February and \$1,036,740.67 year to date or 12.31% of the budget. Two thirds of the YTD revenue was from real estate and earned income taxes which are

the two largest revenue sources for the City. The majority of the real estate is expected to be received by the end of March which is the discount deadline for payment. Earned Income Tax is received throughout the course of the year with peaks at the end of each quarter.

The YTD budget report – expenses shows a total of \$812,003.85 was expended in February and \$2,145,579.54 year to date 25.49% of budget. This is a high percentage rate as noted last month due to the payments to cover outstanding shortages to prior year MMOs for the pension plans and the upfront payments for the property and liability insurance coverage's. Expenses in February were slightly higher than a monthly budget allocation (9/6% vs. 8.3% of budget) would dictate. We will continue to monitor all expenses, as well as revenues, to ascertain the City's adherence to the annual budget.

Citizens' Hearings – Regular Action Items Only

There were no comments on citizens' hearings for regular action items only.

Vice President Hamrick made a motion to close citizens' hearings on regular action items only; Mr. LoPrinzi seconded the motion. Motion passed 7-0.

Citizens' Hearings – Non-Agenda Items Only

Reverend Floyd Narcisse – Resident

Rev. Narcisse thanked Council for the opportunity to speak. He questioned what step the City is taking regarding the three officers suing the City; Can the City use money from the Reserve Trust to pay settlements; and why hasn't the Police Chief been put on administrative leave. President Simpson explained that information regarding City employees is a personnel issue. He explained the money in the Reserve Trust can be used for City expenses. Rev. Narcisse ask why the City allowed a vendor (JJ's BBQ) in the lot near the RiteAid but denied Teel's Catering a solicitors license in 2010. Council asked staff to look into the reason as to why Mr. Teel was denied his permit. Rev. Narcisse asked of the pools would be open in the summer. Council announced Ash Park Pool will be open for the summer.

Sharmeen Miller – Resident

Ms. Miller asked what the programs are for the youth and why Palmer Park Pool is not open. Mr. Brazzle announced all the youth programs throughout the City for the youth and he explained that Palmer Park has a leak in the pool and is very costly to repair. At this time, the City does not have the funds to fix the pool.

Barb Randall – Resident

Ms. Randall explained the Fire Chief and the Codes Director displaced tenant from the apartment building at 235 West Lincoln Highway. The tenants were given 48 hours' notice to vacate the property. Mr. Molina explained that after the fire at the building, the Codes Department inspected the building and found raw sewage in the basement, open wiring and an unstable beam. Acting Chief Lentz explained that he noticed very unsafe safety issues. Ms. Randell explained the problems would never have been noticed if it had not been for the fire. Mrs. Hunt explained that health and safety are more important. It is the City's responsibility to address the problematic issues. Mrs. Hunt suggested contacting the Red Cross for assistance.

Cindy Brison – Resident

Ms. Brisbon asked since the City (Codes & Fire) kicked them out of their home, shouldn't it be there responsibility to pay their expenses. Mr. Brazzle stated the tenants should have a meeting with the landlord. Mrs. Hunt suggested meeting the landlord as a group.

Jason Brown –Resident

Did not speak

Walter Benn - Resident

Did not speak

Kevin Moore – Resident

Did not speak

Tiffany Grasco) Resident

Ms. Grasco asked why they can still go into the building to get their items, if the building is so unsafe. She explained the tenants never received a letter that the building became uninhabitable. She asked why the issues have not been addressed in the past. President Simpson explained it is the responsibility of the landlord to inform the City when there are new tenants. Ms. Grasco stated no one should be allowed in the building if it is unstable.

Martin Kennedy – Resident

Mr. Kennedy questioned the parking issues on Chestnut Street. There was no advanced notice of intent to resume enforcement. A need for two hour parking does not exist within the confines of the 300 Block of East Chestnut Street. In the past years, a resident parking permit was unavailable, or as it has been reported to resident not being sold for the 300 block of East Chestnut Street. The residents are asking for the existing tickets to be rescinded. He asked for the signs to be removed.

Alphonso Williams – Resident

Mr. Williams stated the zoning should be changed on Chestnut Street. There are more tenants than businesses. The multi-family dwellings on the street do not provide enough off street parking. Council asked staff to look into changing the code and asked for a moratorium on the enforcement. Council asked for the issue to be placed on the agenda for the workshop meeting. Mr. Carnes stated the moratorium can be placed for parking between 3rd and 4th Avenue on Chestnut Street.

Sherman Stroll – Resident

Mr. Stroll stated residents should not need parking permits.

Nadir Asadi – Resident

Mr. Asadi stated home owners should not be required to get parking permits.

Marie Hess – Resident

Ms. Hess announced the Brandywine Clean up was a success and there were 30 to 40 volunteers and various organizations. There is another clean up on August 8th and Kite Day on May 5th.

Benjamin Williams – Resident

Mr. Williams stated he is being harassed by the Police Department. On one occasion the Police shot his dog and tazed the other one and his mother's home was raided by the swat team. He feels he is being harassed and is going to protect himself.

Donte Wood – Resident

Mr. Wood stated the City should be right behind the landlord passing out information to the tenants explain the issues in the building. He asked why the Codes Department did not hand out any information. Tenants should receive equal treatment.

Officer Rodger Ollis - Coatesville Police Department

Officer Ollis announced the City will be holding the Drug Take Back Day on August 28, 2012 at the City's Police Station. He stated that they will accept any and all prescription drugs. No questions asked!

Vice President Hamrick made a motion to close citizens' hearing on non-agenda items only; Mr. Brazzle seconded the motion. Motion passed 7-0.

Special Events

1. A special event application has been submitted by the Elite Riders M/C a Block Party on May 20, 2012 from 11:00 am to 7:00 pm. It has been requested to close the street from 8th Avenue and Chestnut to 8th Avenue and Main. It is anticipated 200 people will be in attendance.

Mrs. Hunt made a motion to approve an application submitted by the Elite Riders M/C a Block Party on May 20, 2012 from 11:00 am to 7:00 pm closing the street from 8th Avenue and Chestnut to 8th Avenue and Main; Mr. LoPrinzi seconded the motion. Motion passed 7-0.

Discussion Items

1. Discussions of procedures necessary to make sure claims are being properly processed.
Mr. Collins stated that there were missteps by previous Council or Legal Counsel and steps should be taken to make sure they do not happen again. Mr. Rawlings explained that he has provided Council with a copy of the City Manager's Directive regarding procedures for Claims Reporting.

Regular Action Items

1. Receive and consider Buy Out Window Memorandum of Agreement between the City Coatesville and the Coatesville Police Officers' Benevolent Association
Vice President Hamrick made a motion to approve the Buy Out Memorandum of Agreement between the City of Coatesville and the Coatesville Police Officers Benevolent Association; Mr. Brazzle seconded the motion. Motion passed 6-1. Mr. LoPrinzi was the dissenting vote.
2. Consider Second Reading and Adoption an Ordinance of the Council of the City of Coatesville Chester County, Pennsylvania ("City"), amending Chapter 38 ("Pensions") Article I ("Police Pension Fund") of the General Laws of the City of Coatesville to comply with changes to the Coatesville Police Pension Fund as set forth in Resolution 2009-15 as suggested by the February 2011 Auditor General's Report and adopting the City of Coatesville Police Pension Plan as approved by collective bargaining and the Police Pension Commission.

Mr. Carnes explained that the Ordinance required a few typographical changes. He informed Council of each change within the Ordinance. Council asked for the item to be tabled until the next meeting so they can review the changes. They will not approve and adopt an ordinance without taking the necessary time to review the changes to that document. Council asked for a Special Meeting to be held on April 30, 2012.

Mr. Brazzle made a motion to table Second Reading and Adoption an Ordinance of the Council of the City of Coatesville Chester County, Pennsylvania ("City"), amending Chapter 38 ("Pensions") Article I ("Police Pension Fund") of the General Laws of the City of Coatesville to comply with changes to the Coatesville Police Pension Fund as set forth in Resolution 2009-15 as suggested by the February 2011 Auditor General's Report and adopting the City of Coatesville Police Pension Plan as approved by collective bargaining and the Police Pension Commission

until the April 30, 2012 special meeting; Mrs. Hunt seconded the motion. Motion passed 6-1. Vice President Hamrick was the dissenting vote.

3. Consider Second Reading and Adoption an Ordinance of the Council of the City of Coatesville, Chester County, Pennsylvania (“City”), amending Chapter 38 (“Pensions”) Article I (“Police Pension Fund”) of the General Laws of the City of Coatesville to add a new section 38-8.3 providing an early retirement window from May 1, 2012 to May 31, 2012 to permit members who have reached superannuation requirements as of May 1, 2012 to retire immediately at 70% of final average salary and permitting members with at least 15 years of Pension service as of May 1, 2012 to retire immediately at 50% of annual salary; identifying the eligibility for COLA adjustments and specifying those officers able to take advantage of such terms; requiring 25 full-time officers; and, establishing wages, union rights and benefits of part-time officers.

Mr. Brazzle made a motion to table Second Reading and Adoption an Ordinance of the Council of the City of Coatesville, Chester County, Pennsylvania (“City”), amending Chapter 38 (“Pensions”) Article I (“Police Pension Fund”) of the General Laws of the City of Coatesville to add a new section 38-8.3 providing an early retirement window from May 1, 2012 to May 31, 2012 to permit members who have reached superannuation requirements as of May 1, 2012 to retire immediately at 70% of final average salary and permitting members with at least 15 years of Pension service as of May 1, 2012 to retire immediately at 50% of annual salary; identifying the eligibility for COLA adjustments and specifying those officers able to take advantage of such terms; requiring 25 full-time officers; and, establishing wages, union rights and benefits of part-time officers until the April 30, 2012 meeting; Mrs. Hunt seconded the motion. Motion passed 6-1. Vice President Hamrick was the dissenting vote.

4. Receive and consider Letter of Interest for the proposed creation of a Council of Governments (COG) in Western Chester County

Mr. Rawlings explained a reminder was sent out to the Western Chester County municipalities who are interested in continuing to participate in the development of Regional Council of Government and asked to submit a letter of interest.

Mr. Collins made a motion to approve a Letter of Interest for the proposed creation of a Council of Governments (COG) in Western Chester County; Mrs. Hunt seconded the motion. Motion passed 7-0.

5. Receive and consider Brandywine YMCA Lease Agreement regarding the Coatesville Memorial Community Center

Vice President Hamrick asked of both sides are indemnified. Mr. Carnes replied yes.

Vice President Hamrick made a motion to approve the Brandywine YMCA Lease Agreement regarding the Coatesville Memorial Community Center; Mr. Brazzle seconded the motion. Motion passed 7-0.

6. Receive and consider a Resolution of the City Council of the City of Coatesville accepting bids for the farming of the Conti Tract pursuant to a one year lease, authorizing the award of a lease to the highest responsible bidder and authorizing the City Manager to execute the appropriate lease and any related necessary documents.

Mr. Brazzle stated the bid was a significant amount higher than last year.

Mr. Collins made a motion to approve Resolution of the City Council of the City of Coatesville accepting bids for the farming of the Conti Tract pursuant to a one year lease, authorizing the award of a lease to the highest responsible bidder Warhay Farms and authorizing the City Manager to execute the appropriate lease and any related necessary documents; Mr. Brazzle seconded the motion. Motion passed 7-0.

7. Moratorium for two hour parking in the 300 Block of Chestnut Street effective immediately until further notice.

Mrs. Hunt made a motion to approve a moratorium on the two hour parking on 300 East Lincoln Highway effective immediately until further notice; Mr. Collins seconded the motion. Motion passed 7-0.

Solicitors Reported

Mr. Carnes explained the City is working through the details of the dedication process with the attention of addressing Regency/Coronet/Park and the Phase III roads.

City Manager's Report

Mr. Rawlings announced the Department Heads will be presenting their MBO's over the next few meetings. Mr. Collins asked that date in which Department Heads will be able to look at their budgets and provide information in their reports to Council. Mr. Rawlings explained the Finance Director is currently working on the monthly financial reports.

Council Comments

Mr. Brazzle thanked everyone for attending the meeting. He apologized for losing his cool, it can be very frustrating. It is very stressful when staff is not doing their job.

Mr. LoPrinzi thanked everyone for attending the meeting. he explained that it gets hectic when Council receive the information late. There have been a lot of problems over the years. He asked everyone to be patient, change will take time.

Mr. Hamrick wished everyone a good evening.

Mrs. Hunt wished everyone a good evening and thanked them for attending the meeting. Council has to make decisions, which may have to be done but do not want to do. Things are going to be done the way they should be. Ms. Hunt asked Mr. Wilkinson when the sidewalk will be done in the West End.

Mr. Collins thanked everyone for attending the meeting. There have been many questions from the Council and the audience. Council is working to work with accountability and transparency. He asked for everyone to bear with Council, we are working as fast as we can.

Mrs. Jones thanked everyone for attending. She asked for everyone to remember the 2nd Ward in their prayers. There have been four deaths in her ward. The 2nd Ward is known as the Bad Lands. She asked that parents control their children and know their whereabouts.

Mr. Simpson asked for a discussion on enacting an Ordinance for aggressive dogs to be placed on the next workshop agenda. He thanked everyone for attending the meeting. He announced a Special Meeting will be held on April 30, 2012 regarding Pension.

Adjournment

Mr. Brazzle made a motion to adjourn the meeting at 10:15 pm; Mrs. Hunt seconded the motion. Motion passed 7-0.

Gary Rawlings
City Manager